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Attorney for Debtor(s) Robert J. Moreiko, Jr. & Tracy Ferguson;

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In Re:) Case No.09-13622
Robert J. Moreiko, Jr.) (Chapter 13)
And)
Tracy Ferguson;)
Debtor(s).)

CHAPTER 13 DEBTORS' EX PARTE MOTION FOR AN
ORDER AUTHORIZING THE CHAPTER 13 DEBTORS TO ENTER
INTO A LOAN MODIFICATION AGREEMENT
ORDER THEREON

The Chapter 13 Debtors hereby apply for an order pursuant to 11 USC § 105 authorizing them to enter a loan modification agreement with Central Mortgage Company.

The debtors filed their Chapter 13 case on October 30, 2009, and have recently begun to seek agreement with Central Mortgage Company to modify the terms of their loan with Central Mortgage Company, the holder of the first trust deed on their home. Central Mortgage Company is now saying that it will modify the loan if this court allows such a modification.

The debtors accept that it is unusual to request such an authorization outside of a plan but it seems the only way to accomplish the modification is to obtain court authorization enter into the loan modification. The debtors have contacted David Burchard, the Chapter 13 Trustee and his lack of objection is set forth in the attached letter. The debtors are therefore requesting this authorization and represents the terms of the modification, if finally approved by Central

1 Mortgage Company will be more favorable than the current loan agreement, and will not
2 negatively impact the debtors or any creditors.

3 WHEREFORE, the debtors pray the court enter its order authorizing the debtors to
4 enter into a loan modification agreement with Central Mortgage Company on terms to be
5 negotiated that are not less favorable than the current loan agreement.

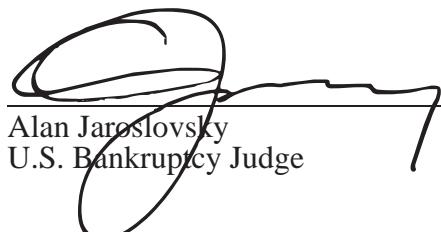
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7 Dated: February 19, 2013

8 /s/ *Linda S. Green*
9 Linda S. Green
10 Attorney for the Debtor

11 IT IS SO ORDERED.
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13 Dated: February 20, 2013
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ORDER



Alan Jaroslovsky
U.S. Bankruptcy Judge